

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SJR 91**

March 2, 2011

**SUMMARY OF BILL:** Proposes amending Article II, Section 23, of the Tennessee Constitution to authorize the General Assembly to decrease the compensation and expenses of its members during their current term after both houses by joint resolution have certified that a state of emergency exists; a natural disaster has occurred in the state; or state revenues are in a period of substantial decline. Resolves that the amendment be referred to the 108<sup>th</sup> General Assembly and that this resolution be published in accordance with Article XI, Section 3, of the Tennessee Constitution by posting this amendment on the Secretary of State's website.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- In *American Civil Liberties Union et al. v. Darnell et al.*, 195 S.W.3d 612, 626 n.12 (Tenn. 2006), the Tennessee Supreme Court noted without deciding the issue that: "The General Assembly has the authority to adopt a rule or enact a statute that defines the term 'published' used in Article XI, Section 3 or that specifies the means and manner of publication. When interpreting constitutional provisions, courts carefully consider any interpretation the General Assembly has given the provision." This note assumes that authorization by the General Assembly of electronic publication complies with the constitutional publication requirement.
- Posting this resolution on the official website of the Secretary of State will not result in a significant increase in state expenditures.
- Because Article XI, Section 3 of the Tennessee Constitution requires publication of the resolution before the next legislative election, this publication would occur in the spring of 2012.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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